

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Nov 07, 2024

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JOSH WISE,

Plaintiff,

v.

CALIFORNIA DEPARTMENT OF
SOCIAL SERVICES,

Defendant.

NO. 2:24-CV-0362-TOR
ORDER OF DISMISSAL FOR LACK
OF JURISDICTION

BEFORE THE COURT is Plaintiff's Complaint against the California Department of Social Services. ECF No. 1.

This Court, sitting in the Eastern District of Washington, does not have jurisdiction over a State of California agency.

Under Federal Rule of Civil Procedure 12(b)(2), "the plaintiff bears the burden of establishing that jurisdiction is proper." *Mavrix Photo, Inc. v. Brand Tech., Inc.*, 647 F.3d 1218, 1223 (9th Cir. 2011) (citation omitted). Plaintiff has failed to do so, and any attempt would be futile.

Under the Due Process Clause, a court may exercise personal jurisdiction over a defendant only where “the defendant has certain minimum contacts with the forum state such that the maintenance of the suit does not offend traditional notions of fair play and substantial justice.” *Picot v. Weston*, 780 F.3d 1206, 1211 (9th Cir. 2015) (quoting *Int'l Shoe Co. v. Washington*, 326 U.S. 310, 316 (1945)) (internal quotation marks and brackets omitted).

Here, an agency of the State of California does not have contacts with the State of Washington. Therefore, this Court does not have jurisdiction over it.

For these reasons, this Court does not have jurisdiction over the California Department of Social Services.

ACCORDINGLY, IT IS HEREBY ORDERED:

1. Plaintiff’s Complaint is **DISMISSED** for lack of jurisdiction.
2. Plaintiff’s pending motions are **DENIED** as moot. ECF Nos. 4, 7, and 8.

The District Court Executive is directed to enter this Order, furnish a copy to Plaintiff and **CLOSE** the file.

DATED November 7, 2024.




THOMAS O. RICE
United States District Judge